

advocate on behalf of assault victims and champion the use of DNA to fight sexual assault.

The bill approved yesterday provides over \$755 million over 5 years to eliminate the backlog in rape kits and other crime scene evidence, eliminate the backlog of convicted offender samples awaiting DNA testing, and improve state laboratory capacity to conduct DNA testing. I am pleased that the backlog elimination grant program in this legislation is entitled, "The Debbie Smith DNA Backlog Grants." It is a fitting tribute.

The Justice for All Act of 2004 is a natural extension to the Violence Against Women Act, which required the Attorney General to evaluate and recommend standards for training and practice for licensed health care professionals performing sexual assault forensic exams. So I knew that any DNA bill aimed at ending sexual assault must include resources for sexual forensic examiners. This bill provides \$500 million in training grants to help ensure that nurses, police and paramedics know how to best collect and preserve DNA evidence in sexual assault cases, and to help local law enforcement agencies put the DNA profiles of convicted felons into state and national databases.

The bill also expands the CODIS database by mandating the inclusion of DNA samples from all convicted federal felons, and by permitting states to include the DNA samples from suspects arrested for and charged with a crime. At the same time, our bill retains important provisions to expunge DNA samples from the database for those whose convictions are overturned or against whom criminal charges are dropped. The bill also contains tough new penalties for the improper use or disclosure of DNA samples.

Today's bill also makes two small, but important, amendments to the Violence Against Women Act. First, it amends the law to include legal assistance for victims of dating violence, and it amends the eligibility criteria for discretionary programs so that tribal domestic violence and sexual assault coalitions can directly receive grants funds, including those funds unreleased from past fiscal years.

I am also gratified that this legislation includes the Innocence Protection Act, which I cosponsored last Congress with Senator LEAHY. This section will immeasurably improve the administration of justice in our legal system, particularly where justice is most important, and where we can least afford to make mistakes—imposition of the death penalty. Those who support the death penalty also have a duty to ensure that it is fairly administered. The advent of DNA testing has provided us with a wealth of opportunities to make certain that we are prosecuting the right people. This legislation makes post-conviction testing to federal inmates who assert that they did not commit the crime for which they have

been imprisoned. It also incentivizes States to take similar measures to ensure that individuals have a proper opportunity to prove their innocence. It also mandates proper preservation of DNA evidence so that the DNA can be tested if appropriate.

As for competent counsel in death penalty cases, nobody can look me in the eye and tell me that our system for representation in capital cases works as it should. This bill will take a big step toward fixing that by providing money for grants to States to improve their systems of representation, on both the prosecution and defense side, in capital cases.

In closing, I would be remiss if I did not pause to thank some of the many people who have helped bring about the introduction of this bill. In particular, I wish to thank Senator HATCH, the chairman the Judiciary Committee, for devoting so much time and effort to work with me in developing this legislation, along with his chief counsel Bruce Artim and his counsels Brett Tolman and Mike Volkov. I also commend Senator LEAHY, the distinguished ranking member of the committee, and his chief counsel Bruce Cohen and senior counsel Julie Katzman, who have worked tirelessly on this bill, and is the principal sponsor of the Innocence Protection Act. I also thank our other principal Senate sponsors, including Senator SPECTER and his chief counsel David Brog; Senator DEWINE, and his counsel Rob Steinbuch; and Senator FEINSTEIN and her chief counsel David Hantman.

I also commend our colleagues in the other body who led the fight in the House of Representatives to enact this important legislation. Their efforts were instrumental in achieving the final bill both bodies passed yesterday. Specifically, I commend Representative SENSENBRENNER, the chairman of the House Judiciary Committee, and his staff, including Phil Kiko, Jay Apperson, and Katy Crooks. I also thank Ranking Member CONYERS and his staff, including Perry Applebaum and Bobby Vassar. I also thank Representative DELAHUNT for his leadership, and his counsels Mark Agrast and Christine Leonard.

Finally, I thank my own staff who have worked diligently over the last 3 years to pass this important legislation, including Louisa Terrell, Jonathan Meyer, and Neil MacBride.

Mr. President, yesterday's action by Congress were a long time coming, and I join my cosponsors in thanking our colleagues for passing this legislation. I now hope the President will quickly sign this bill into law, so that we can finally tackle the untested rape kits and start bringing hope and closure to victims of sexual assault.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first

and second times by unanimous consent, and referred as indicated:

By Mr. DeWINE (for himself, Mr. KENNEDY, and Mr. JEFFORDS):

S. 2974. A bill to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products; considered and passed.

By Mr. HARKIN (for himself and Mr. KENNEDY):

S. 2975. A bill to amend the Fair Labor Standards Act of 1938 to clarify regulations relating to overtime compensation; considered and passed.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. MURKOWSKI (for herself, Mr. STEVENS, Mr. GRASSLEY, Mr. CORNYN, Mr. CHAMBLISS, Mr. ALLEN, Mr. CAMPBELL, and Mr. WARNER):

S. Res. 455. A resolution supporting the goals of Red Ribbon Week; considered and agreed to.

By Ms. STABENOW (for herself and Ms. SNOWE):

S. Res. 456. A resolution designating October 14, 2004, as "Lights On Afterschool! Day"; considered and agreed to.

By Mr. REED (for himself, Mr. BOND, Ms. MIKULSKI, Ms. COLLINS, Mr. SARBANES, Mr. BIDEN, Mrs. BOXER, Mr. BREAUX, Mr. CARPER, Mr. CHAFEE, Mrs. CLINTON, Mr. CONRAD, Mr. CORZINE, Mr. DAYTON, Mr. DEWINE, Mr. DODD, Mr. DORGAN, Mr. DURBIN, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. GRAHAM of Florida, Mr. HAGEL, Mr. JEFFORDS, Mr. KENNEDY, Mr. KOHL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LUGAR, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. NICKLES, Mr. SANTORUM, Mr. SCHUMER, Mr. SMITH, Ms. SNOWE, Ms. STABENOW, Mr. REID, Mr. TALENT, and Mr. WYDEN):

S. Res. 457. A resolution designating the week of October 24, 2004, through October 30, 2004, as "National Childhood Lead Poisoning Prevention Week"; considered and agreed to.

By Mr. BINGAMAN (for himself, Mr. MCCAIN, Mr. HOLLINGS, and Mr. BROWNBACK):

S. Res. 458. A resolution congratulating the SpaceShipOne team for achieving a historic milestone in human space flight; considered and agreed to.

By Mr. DURBIN (for himself and Mr. ALEXANDER):

S. Res. 459. A resolution designating November 2004 as "American Music Month" to celebrate and honor music performance, education, and scholarship in the United States; considered and agreed to.

By Mr. SESSIONS (for himself and Mr. SHELBY):

S. Res. 460. A resolution honoring the young victims of the Sixteenth Street Baptist Church bombing recognizing the historical significance of the tragic event, and commending the efforts of law enforcement personnel to bring the perpetrators of this crime to justice on the occasion of its 40th anniversary; considered and agreed to.

By Mr. DOMENICI (for himself, Mr. DODD, Mr. COCHRAN, Mr. DORGAN, Mr. BUNNING, Mr. CONRAD, Mr. CAMPBELL, Mr. ROCKEFELLER, Mr. WARNER, Mr. KERRY, Mr. FITZGERALD, Ms. LANDRIEU, Mr. HAGEL, Mr. KENNEDY, Mr. INHOFE, Mr. BIDEN, Mr. DEWINE, Mr. JOHNSON, Mr. LOTT, Mr. AKAKA,